



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Denial of Verified Claim(s) Against the City of Lodi

**MEETING DATE:** July 15, 1998

**SUBMITTED BY:** Human Resources Director

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**RECOMMENDED ACTION:** To approve by motion action, denial of the following verified claim(s) filed against the City of Lodi:

A) Nabbs, Lyman

DOL: 07/02/97

**BACKGROUND INFORMATION:** Following review of the verified claims filed against the City of Lodi, the Risk Manager and/or the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA), recommend that the City deny the subject claims.

**FUNDING:** None required.

Respectfully submitted,

Joanne M. Narloch, Human Resources Director

cc: City Attorney

**APPROVED:** \_\_\_\_\_  
H. Dixon Flynn -- City Manager

CITY COUNCIL

JACK A. SIEGLOCK, Mayor  
KEITH LAND,  
Mayor Pro Tempore  
ROBERT J. JOHNSON  
STEPHEN J. MANN  
PHILLIP A. PENNINO

# CITY OF LODI

CITY HALL  
221 WEST PINE STREET, P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
HUMAN RESOURCES: (209) 333-6704  
FAX (209) 333-6816

H. DIXON FLYNN  
City Manager  
ALICE M. REIMCHE  
City Clerk  
RANDALL A. HAYS  
City Attorney

## Notice of Claim Rejection

July 15, 1998

Mr. Lyman Nabbs  
471 Almond Drive  
Lodi, CA 95240

RE: Claim against the City of Lodi  
Date of Loss: July 02, 1997  
Claim Number: 980514-125-970702-000

Dear Claimant:

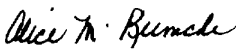
Notice is hereby given that the claim you presented to the City of Lodi on May 14, 1998, is rejected as of the date of this letter.

### Warning

Subject to certain exemptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code Section 945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exemptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to Sections 128.5 and 1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,

  
Alice M. Reimche  
City Clerk

cc: City Attorney  
Risk Manager  
Bill Benson, ICA